



Journal of the Senate

Number 4—Special Session B

Thursday, June 23, 1983

The Senate was called to order by the President at 4:00 p.m. A quorum present—38:

Mr. President	Gersten	Kirkpatrick	Plummer
Barron	Girardeau	Langley	Rehm
Beard	Grant	Malchon	Scott
Carlucci	Grizzle	Mann	Stuart
Castor	Hair	Margolis	Thomas
Childers, D.	Henderson	Maxwell	Thurman
Childers, W. D.	Hill	McPherson	Vogt
Crawford	Jenne	Meek	Weinstein
Dunn	Jennings	Myers	
Frank	Johnston	Neal	

Excused: Senators Fox and Gordon

Prayer by Joe Brown, Secretary of the Senate:

We thank you, Lord, for your guidance in helping us find the means to justify the end. Hopefully, we pray. Amen.

The Senate pledged allegiance to the flag of the United States of America.

By direction of the President, the following amendments to the Proclamation dated June 14 were read:

PROCLAMATION
State of Florida
Executive Department
Tallahassee

(Second Amendment to Proclamation dated June 14, 1983)

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND THE HOUSE OF REPRESENTATIVES:

WHEREAS, on the 14th day of June, 1983, a proclamation of the Governor was issued convening a Special Session of the Florida Legislature commencing at 10:00 a.m., Wednesday, June 15, 1983, and extending through midnight, Friday, June 17, 1983, and

WHEREAS, on the 17th day of June, 1983, a Proclamation was issued extending the Special Session through midnight, Wednesday, June 22, 1983,

WHEREAS, it is in the best interest of the citizens of the State of Florida to amend the Proclamation of June 14, 1983 as amended, in order to expand the call of the Special Session so that the Legislature may consider the additional legislative business set forth below;

WHEREAS, it is in the best interest of the citizens of the State to extend the length of the Special Session in order to permit full and adequate consideration of all items within my proclamation of June 14, 1983, as amended.

NOW, THEREFORE, I, BOB GRAHAM, Governor of the State of Florida, by virtue of the power and authority vested in me by Article III, Section 3(c)(1), Florida Constitution, do hereby proclaim as follows:

I. That Sections one (1) and two (2) of the Proclamation of the Governor dated June 17, 1983, are hereby amended to read:

Section 1.

That the Legislature of the State of Florida be and is hereby convened in Special Session pursuant to Article III, Section 3(c)(1) of the Florida Constitution, commencing at 10:00 a.m., Wednesday, June 15, 1983, and extending through midnight, Thursday, June 23, 1983.

Section 2.

That the Legislature of the State of Florida is convened for the sole and exclusive purpose of considering the following matters:

1. The General Appropriations Bill.
 2. Public Education Capital Outlay (PECO).
 3. Legislation to implement or fund items contained in the General Appropriations Bill or PECO.
 4. Legislation to insure protection of the State's water resources, including, but not limited to, measures
 - (a) Providing for data collection;
 - (b) Providing for the testing of pesticides;
 - (c) Providing for groundwater monitoring;
 - (d) Providing for well field contamination monitoring;
 - (e) Providing for artesian well plugging;
 - (f) Addressing hazardous waste disposal and regulation;
 - (g) Regulating the use of septic tanks;
 - (h) Providing for a grants program for construction and improvement of sanitary sewer systems;
 - (i) Implementing or funding the above mentioned items.
 5. Legislation to improve the quality of the state's education system, including, but not limited to, measures
 - (a) Upgrading academic standards;
 - (b) Enhancing the teaching and learning of mathematics, science, and computer education;
 - (c) Improving the quality of teacher preparation and performance, including pre-service, in-service, and teacher education centers, certification, compensation, and the establishment of a master teacher program;
 - (d) Revising vocational education programs to provide employment opportunities and to ensure responsiveness to business and industry needs;
 - (e) Providing for the adequate and equitable funding of educational programs;
 - (f) Providing for post-secondary education academic enhancements; and
 - (g) Implementing and funding the above mentioned items.
 6. A bill relating to community mental health service, establishing a coordinated alcohol, drug abuse, and mental health service delivery system.
 7. A bill relating to state and regional planning.
- II. Except as amended by this Proclamation, the Proclamation of the Governor dated June 14, 1983, as amended, is ratified and confirmed.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed to this proclamation at the Capitol, this 22 day of June, 1983.

Bob Graham
GOVERNOR

ATTEST:
George Firestone
SECRETARY OF STATE

PROCLAMATION
State of Florida
Executive Department
Tallahassee

(Third Amendment to Proclamation dated June 14, 1983)

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE
AND THE HOUSE OF REPRESENTATIVES:

WHEREAS, on the 14th day of June, 1983, a proclamation of the Governor was issued convening a Special Session of the Florida Legislature commencing at 10:00 a.m., Wednesday, June 15, 1983, and extending through midnight, Friday, June 17, 1983, and

WHEREAS, on the 17th day of June, 1983, a Proclamation was issued extending the Special Session through midnight, Wednesday, June 22, 1983,

WHEREAS, on the 22nd day of June, 1983, a Proclamation was issued adding additional matters for the Legislature's consideration and extending the Special Session through midnight, Thursday, June 23, 1983;

WHEREAS, it is in the best interest of the citizens of the State to extend the length of the Special Session in order to permit full and adequate consideration of all items within my proclamation of June 14, 1983, as amended.

NOW, THEREFORE, I, BOB GRAHAM, Governor of the State of Florida, by virtue of the power and authority vested in me by Article III, Section 3(c)(1), Florida Constitution, do hereby proclaim as follows:

I. That Section one (1) of the Proclamation of the Governor dated June 14, 1983, is hereby amended to read:

Section 1.

That the Legislature of the State of Florida be and is hereby convened in Special Session pursuant to Article III, Section 3(c)(1) of the Florida Constitution, commencing at 10:00 a.m., Wednesday, June 15, 1983, and extending through midnight, Friday, June 24, 1983.

II. Except as amended by this Proclamation, the Proclamation of the Governor dated June 14, 1983, as amended, is ratified and confirmed.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed to this proclamation at the Capitol, this 23 day of June, 1983.

Bob Graham
GOVERNOR

ATTEST:
George Firestone
SECRETARY OF STATE

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The following Executive Order was filed with the Secretary:

EXECUTIVE ORDER NUMBER 83-75

(Executive Order of Suspension)

WHEREAS, PERRY LAMAR JENKINS is presently serving as the duly elected Property Appraiser of Suwannee County, Florida, and

WHEREAS, on June 6, 1983, an indictment charging PERRY LAMAR JENKINS with nine counts of grand theft, eight counts of official mis-

conduct, three counts of misuse of confidential information, one count of failure to pay taxes, three counts of perjury, and eight counts of filing fraudulent travel vouchers was returned by the Grand Jury for Suwannee County, Florida, and

WHEREAS, it is in the best interest of the residents of Suwannee County and the citizens of the State of Florida that PERRY LAMAR JENKINS be suspended from the public office that he now holds, upon the constitutional grounds hereinafter set forth;

NOW, THEREFORE, I, BOB GRAHAM, Governor of Florida, do hereby find, determine, and for the purposes of Section 112.41, Florida Statutes, allege as follows:

A. PERRY LAMAR JENKINS is, and at all times material hereto was the duly elected Property Appraiser of Suwannee County, Florida.

B. The office of Property Appraiser of Suwannee County is within the purview of the suspension powers of the Governor pursuant to Article IV, Section 7, Florida Constitution.

C. The attached indictment alleges that PERRY LAMAR JENKINS did commit acts in violation of Florida law, and these allegations are hereby incorporated by reference as if fully set forth in this Executive Order.

D. The facts alleged herein constitute the offenses of malfeasance, misfeasance, neglect of duty, and/or commission of a felony as such offenses are used in Article IV, Section 7, Florida Constitution.

E. The interest of the residents of Suwannee County, Florida, and the citizens of the State of Florida can best be served by the immediate suspension of PERRY LAMAR JENKINS from the public office which he now holds.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is hereby promulgated, effective immediately:

Section 1.

PERRY LAMAR JENKINS is hereby suspended from the public office which he now holds, to-wit: Property Appraiser, Suwannee County, Florida.

Section 2.

PERRY LAMAR JENKINS is hereby prohibited from performing any official act, duty, or function of public office, from receiving any pay or allowance, and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date hereof, until a further executive order, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 8th day of June 1983.

Bob Graham
GOVERNOR

ATTEST:
George Firestone
SECRETARY OF STATE

(Copy of Indictment was filed in the office of the Secretary of the Senate.)

—which was referred to the Committee on Executive Business.

The Governor advised that he had filed with the Secretary of State SB 20-B, which he approved June 23.

Senator Barron presiding

CONFERENCE COMMITTEE REPORT ON SB 6-B (RAISE Bill)

The Honorable Curtis Peterson
President of the Senate

The Honorable H. Lee Moffitt
Speaker, House of Representatives

Sirs:

Your conference committee on the disagreeing votes of the two houses on SB 6-B, same being:

Raising Achievement in Secondary Education (RAISE BILL)

having met, and after full and free conference, do recommend to their respective Houses as follows:

1. That the Senate and House of Representatives adopt the Conference Committee amendments attached hereto; and by reference made a part of this report.
2. That the Senate and the House of Representatives pass Senate Bill 6-B as amended by said Conference Committee amendments.

Curtis Peterson, Chairman
Clark Maxwell, Jr.
Dempsey J. Barron
Bill Grant
Mattox Hair
John Vogt

Carl Carpenter
Jon Mills
Samuel P. Bell, III
Bob Johnson
Tom Gustafson

Managers on the part of
the Senate

Managers on the part of the
House of Representatives

Summary of Conference Committee Action on SB 6-B

1. General requirements for high school graduation including 22 credits in grades 9 through 12, including 3 in math and 3 in science, for 1984-85 and 1985-86 school years, 24 credits in 1986-87 including 4 in English, 3 in math, 3 in science, and 3 in social sciences.
2. Requirement that school districts adopt student performance standards for each academic program in grades 9 through 12.
3. Include students from university laboratory schools in the Florida Academic Scholars program and adjust program requirements to correspond to new graduation standards.
4. Require person to be 18 to take GED exam unless school board of the district in which he resides grants an exception.
5. Provide for special certificates of high school completion for certain exceptional students.
6. School board local control provision granting boards authority to exercise any power not prohibited by law or the State Constitution (the House bill contained an identical section).
7. Provide for educational assignment of student during proceedings to determine placement of the student in an exceptional education program.
8. Authorize the Commissioner of Education to approve changes to district Primary Education Program Plans.
9. Clarification of statutory language relating to the award of continuing contracts and professional service contracts and provision of procedure for exchanging a continuing contract for a professional service contract.
10. Authorize nonprofit corporations, civic organizations, and groups to use school buses to transport disadvantaged persons.
11. Establishment of summer inservice institutes for instructional personnel operated in conjunction with summer camps for students in the areas of math, science, computers, or foreign languages.
12. The establishment of 28 vocational education planning regions.
13. Creation of regional coordinating councils for each vocational education planning region.
14. The establishment of coordinating council duties and responsibilities.
15. New procedures to be used in computing school district operating funds to be allocated from the Florida Education Finance Program. The new elements include calculating procedures for dual enrollment, advanced placement, and instruction beyond the regular school year, plus vocational program limitations.
16. Authorize the Commissioner of Education to promote out-of-school learning activities.
17. Establish kindergarten entrance age as 5 years by September 1 of school year in which admission is being sought, effective with the 1983-84 school year.
18. Changes in teacher certification requirements including preservice course requirements for prospective secondary school teachers, extension of time for nondegree vocational teachers to meet teacher examination requirements, and requirement that all newly employed teachers without regular, Florida Teacher certification complete the beginning teacher program.
19. Changes in several sections of existing law to reduce the "paperwork" burden on classroom teachers.
20. Deletion of the Florida Education Finance Program provision authorizing full FTE funding for certain high school students attending school less than a full day.
21. Authorization for the Department of Education to approve non-public school master inservice programs if the schools pay for the full cost of such approval.
22. Authorization and procedures for public school districts to employ adjunct instructors in areas of critical teacher shortage.
23. Requirement that the Commissioner of Education, State Board of Education, or the Legislature enter into a consortium with other states to improve the quality of instructional materials.
24. Department of Education to study the feasibility of adding subject area subtests to the state teacher examination.
25. Increased requirements for the evaluation of teacher education centers.
26. Reenactment of the Teacher Education Center Act.
27. Revised definitions of job preparatory, exploratory, supplemental, and practical arts vocational programs.
28. Authorizes the Department of Education to make audit exceptions in the review of school district compliance with FEFP requirements.

Conference Committee Amendment 1—On page 4, line 17, strike everything after the enacting clause and insert:

PART I
STANDARDS OF STUDENT ACHIEVEMENT

Section 1. Section 232.246, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 232.246, F.S., for present text.)

232.246 General requirements for high school graduation.—

(1) For the 1984-1985 and 1985-1986 school years, successful completion of a minimum of 22 academic credits in grades 9 through 12 shall be required for graduation. These credits shall include a minimum of 3 credits in mathematics and 3 credits in science.

(2) Beginning with the 1986-1987 school year and each year thereafter, successful completion of a minimum of 24 academic credits in grades 9 through 12 shall be required for graduation. The 24 credits shall be distributed as follows:

(a) Four credits in English, with major concentration in composition and literature.

(b) Three credits in mathematics.

(c) Three credits in science, 2 of which must have a laboratory component. The State Board of Education may grant an annual waiver of the laboratory requirement to a school district that certifies that its laboratory facilities are inadequate, provided that the district submits a capital outlay plan to provide adequate facilities and makes funding of this plan a priority objective of the school board.

(d) One credit in American history.

(e) One credit in world history, including a comparative study of the history, doctrines, and objectives of all major political systems in fulfillment of the requirements of s. 233.064.

(f) One-half credit in economics, including a comparative study of the history, doctrines, and objectives of all major economic systems. The Florida Council on Economic Education shall provide technical assistance to the department and local school boards in developing curriculum materials for the study of economics.

(g) One-half credit in American government.

(h) One-half credit in practical arts vocational education or exploratory vocational education.

(i) One-half credit in performing fine arts to be selected from music, dance, drama, painting, or sculpture.

(j) One-half credit of life management skills to include nutrition, drug education, consumer education, cardiopulmonary resuscitation, and hazards of smoking.

(k) One-half credit in physical education to include assessment, improvement and maintenance of personal fitness.

(l) Nine elective credits.

(3) Notwithstanding the provisions of subsections (1) and (2), the State Board of Education may grant exceptions to the number of credits required herein for high school graduation for those school districts operating with less than 6 periods of instruction in high school per school day prior to the 1983-1984 school year. Such exceptions shall not be granted after the 1986-1987 school year.

(4) Credit for high school graduation may be earned for volunteer and nonacademic activities which have been approved for such credit by the State Board of Education.

(5) District school boards may require specific courses and programs of study within the minimum credit requirements for high school graduation and are authorized to modify courses and programs to meet graduation requirements for exceptional students as provided for in the district pupil progression plan, in accordance with rules established by the state board. District school boards are authorized and encouraged to establish requirements for high school graduation in excess of the minimum requirements.

(6) Each district school board shall establish standards for graduation from its schools which shall include:

(a) Mastery of the minimum performance standards in reading, writing, and mathematics for the 11th grade, established pursuant to ss. 229.565 and 229.57, determined in the manner prescribed after a public hearing and consideration by the state board;

(b) Demonstrated ability to successfully apply basic skills to everyday life situations as measured by a functional literacy examination developed and administered in a manner prescribed after a public hearing and consideration by the state board;

(c) Completion of all other applicable requirements prescribed by the district school board pursuant to s. 232.245; and

(d) Effective for the 1984-1985 school year and each year thereafter, a cumulative grade point average of 1.5 on a 4.0 scale, or its equivalent, for required courses for graduation.

(7) No student shall be granted credit toward high school graduation for enrollment in the following courses or programs:

(a) More than a total of two elective credits in remedial programs as provided for in s. 236.0841 and compensatory and remedial programs as provided for in s. 236.088.

(b) More than one-half credit in exploratory vocational courses as defined in s. 228.041(22)(b).

(c) More than three credits in practical arts home economics classes as defined in s. 228.041(22)(d).

(8) The standards required in subsection (6), and any subsequent modifications thereto, shall be reprinted in the Florida Administrative Code even though said standards are not defined as rules.

(9) The state board, after a public hearing and consideration, shall make provision for appropriate modification of testing instruments and procedures for students with identified handicaps or disabilities in order to ensure that the results of the testing represent the student's achievement, rather than reflecting the student's impaired sensory, manual, speaking, or psychological process skills, except when such skills are the factors the test purports to measure.

(10) A student who meets all requirements prescribed in subsections (1), (2), (5), and (6) shall be awarded a standard diploma in a form prescribed by the state board; however, a school board may, in lieu of the standard diploma, award differentiated diplomas to those exceeding the prescribed minimums. A student who completes the minimum number of credits and other requirements prescribed by subsections (1), (2), and (5), but who is unable to meet the standards of paragraph (6)(a) or paragraph (6)(b), shall be awarded a certificate of completion in a form prescribed by the state board. However, any student who is otherwise entitled to a certificate of completion may elect to remain in the secondary school on either a full-time or a part-time basis for up to 1 additional year and receive special instruction designed to remedy his identified deficiencies. This special instruction shall be funded from the district's state compensatory education funds.

(11) The public hearing and consideration required in paragraphs (a) and (b) of subsection (6) and in subsection (9) shall not be construed to amend or nullify the requirements of security relating to the contents of examinations or assessment instruments and related materials or data as prescribed in s. 232.248.

Section 2. Student performance standards in high schools.—

(1) Each district school board shall adopt student performance standards for each academic program in grades 9 through 12 for which credit toward high school graduation is awarded. The board shall also establish policies as to student mastery of performance standards before credit for a program can be awarded. Teacher observations, classroom assignments and examinations may be considered appropriate methods of assessing student mastery.

(2) The Department of Education shall review and make appropriate recommendations for improvement of the district's adopted student performance standards and policies relating to passage for credit during each compliance and program performance audit.

(3) The department shall provide technical assistance as needed in order to aid district school boards in complying with this section.

(4) Effective July 1, 1985, student performance standards must be incorporated in the pupil progression plan for students in grades 9 through 12 in order for the district to receive funding through the Florida Education Finance Program.

Section 3. The introductory paragraph and paragraph (a) of subsection (1) of section 232.2465, Florida Statutes, 1982 Supplement, are amended to read:

232.2465 Florida Academic Scholars' Program.—For the purpose of recognizing and rewarding outstanding performance and academic achievement on the part of public and nonpublic school students *and developmental research school students*, the Commissioner of Education shall award to each high school graduate who meets the requirements specified herein and as *further* specified by the State Board of Education a special certificate recognizing and designating the graduate as a Florida Academic Scholar.

(1) In order to qualify as a Florida Academic Scholar, a student must:

(a) *Effective with the 1983-1984 school year*, complete a program of at least 2 more credits than the minimum credits required for high school graduation in ~~22 credits~~ of advanced-level studies in grades 9 through 12 as prescribed by the State Board of Education, including as a minimum:

1. Four years of progressively advanced instruction in language arts, including courses in English *composition grammar, writing*, and literature;

2. Four years of progressively advanced instruction in science, including *laboratory* courses in biology, chemistry, and physics *where laboratory facilities are available*;

3. Four years of progressively advanced instruction in mathematics, including courses in algebra and geometry; and calculus or trigonometry;

4. Two years of ~~sequential foreign progressively advanced instruction in a foreign language~~;

5. One year of instruction in art and music or in either art or music;

6. Three years of instruction in social studies, including courses in American history and government, and world history, and comparative political and economic systems; and

7. One year of instruction in health and physical education to include assessment, improvement, and maintenance of personal fitness.

Section 4. Section 232.425, Florida Statutes, is created to read:

232.425 Student standards for participation in interscholastic extracurricular student activities.—In order for a student to be eligible to participate in interscholastic extracurricular student activities he must maintain a 1.5 grade point average on a 4.0 scale, or its equivalent, for the semester immediately preceding participation. Such student shall also be progressing satisfactorily toward graduation as provided for in the district's approved pupil progression plan and shall meet such other requirements for participation as may be established by the school district.

Section 5. Subsection (4) of section 229.814, Florida Statutes, is amended to read:

229.814 Secondary Level Examination Program.—

(4) Any candidate for a high school ~~who is awarded an~~ equivalency diploma shall be at least 18 years of age on the date of the examination, except that in extraordinary circumstances as provided for in rules of the school board of the district in which the candidate resides or attends school, said candidate may take the examination after reaching the age of 16 ~~exempted from the compulsory school attendance requirements of s. 232.01.~~

Section 6. Section 232.247, Florida Statutes, is amended to read:

232.247 Special high school graduation requirements for certain exceptional students.—A student who has been properly classified, in accordance with rules established by the state board, as "educable mentally handicapped retarded," "trainable mentally handicapped retarded," "deaf," "specific learning disabled," "physically handicapped whose ability to communicate orally or in writing is seriously impaired," or "emotionally handicapped" shall not be required to meet all requirements of s. 232.246 and shall, upon meeting all applicable requirements prescribed by the school board pursuant to s. 232.245, be awarded a special diploma in a form prescribed by the state board; provided, however, that such special graduation requirements prescribed by the school board shall include minimum graduation requirements as prescribed by the state board. Any such student who meets all special requirements of the district school board for his exceptionality, but is unable to meet the appropriate special state minimum requirements, shall be awarded a special certificate of completion in a form prescribed by the state board. A student who has been properly classified as profoundly handicapped and who meets the special requirements of the district school board shall be awarded a special certificate of completion in a form prescribed by the state board. Nothing provided in this section, however, shall be construed to limit or restrict the right of an exceptional student solely to a special diploma or special certificate of completion. Any such student shall, upon proper request, be afforded the opportunity to fully meet all requirements of s. 232.246 through the standard procedures established therein and thereby qualify for a standard diploma upon graduation.

PART II SCHOOL DISTRICT MANAGEMENT

Section 7. Section 230.03, Florida Statutes, is amended to read:

230.03 Management, control, operation, administration, and supervision.—The district school system shall be managed, controlled, operated, administered, and supervised as follows:

(1) DISTRICT SYSTEM.—The district school system shall be considered as a part of the state system of public education. All actions of district school officials shall be consistent and in harmony with state laws and with rules and minimum standards of the state board. District school officials, however, shall have the authority to provide additional educational opportunities, as desired, which are authorized, but not required, by law or by the district school board.

(2) SCHOOL BOARD.—In accordance with the provisions of s. 4(b) of Art. IX of the State Constitution, district school boards shall operate, control, and supervise all free public schools in their respective districts and may exercise any power except as expressly prohibited by the State Constitution or general law. ~~For purposes of this section, "educational purposes" means any activity or power exercised in the establishment and maintenance of courses, classes, institutions, and services adequate to meet the educational needs of all citizens of the district.~~

(3) SUPERINTENDENT.—Responsibility for the administration and management of the schools and for the supervision of instruction in the district shall be vested in the superintendent as the secretary and executive officer of the school board, as provided by law.

(4) PRINCIPAL OR HEAD OF SCHOOL.—Responsibility for the administration of any school or schools at a given school center and for the supervision of instruction therein shall be delegated to the principal or head of the school or schools as hereinafter set forth and in accordance with rules established by the school board.

Section 8. Paragraph (m) of subsection (4) and paragraph (a) of subsection (6) of section 230.23, Florida Statutes, 1982 Supplement, are amended to read:

230.23 Powers and duties of school board.—The school board, acting as a board, shall exercise all powers and perform all duties listed below:

(4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF SCHOOLS.—Adopt and provide for the execution of plans for the establishment, organization, and operation of the schools of the district, as follows:

(m) Exceptional students.—Provide for an appropriate program of special instruction, facilities, and services for exceptional students as prescribed by the state board as acceptable, including provisions that:

1. The school board provide the necessary professional services for diagnosis and evaluation of exceptional students.

2. The school board provide the special instruction, classes, and services, either within the district school system, in cooperation with other district school systems, or through contractual arrangements with approved nonpublic schools or community facilities which meet standards established by the state board.

3. The school board submit annually to the department its proposed procedures for the provision of special instruction and services for exceptional students.

4. No student be given special instruction or services as an exceptional student until after he has been properly evaluated, classified, and placed in the manner prescribed by rules of the state board. The parent or guardian of an exceptional student evaluated and placed or denied placement in a program of special education shall be notified of each such evaluation and placement or denial. Such notice shall contain a statement informing the parent or guardian that he is entitled to a due process hearing on the identification, evaluation, placement, or lack thereof. Such hearings shall be exempt from the provisions of ss. 120.57 and 286.011 to the extent that the state board adopts rules establishing other procedures. The hearing shall be conducted by a hearing officer ~~who shall not be an officer or employee of the school board involved in the education or care of the child or have a personal or professional interest which would conflict with the objectivity of the hearing. The parent shall have the right to request that the hearing officer be from the Division of Administrative Hearings, Department of Administration. The decision of the hearing officer shall be final, except that any party aggrieved by the finding and decision rendered by the hearing officer shall have the right to request an impartial review of the hearing officer's order by the district court of appeal as provided by s. 120.68. Notwithstanding any law to the contrary, during the pendency of any proceedings conducted pursuant to this section, unless the district school board and the parents or guardian otherwise agree, the child shall remain in the then current educational assignment of such child, or, if applying for initial admission to a public school, shall, with the consent of the parents or guardian, be assigned in the public school program until all such proceedings have been completed. Commissioner of Education. The review by the commissioner shall examine the entire hearing record, ensure that the procedures at the hearing were consistent with the requirements of due process, seek additional evidence if necessary, make an independent deci-~~

sion upon completion of the review, and give a copy of written findings and decision to the parties. Any aggrieved party shall have the right to file a petition for judicial review in the appropriate court of jurisdiction.

5. In providing for the education of exceptional students, the superintendent, principals, and teachers shall utilize the regular school facilities and adapt them to the needs of exceptional students whenever this is possible. No student shall be segregated and taught apart from normal students until a careful study of the student's case has been made and evidence obtained which indicates that segregation would be for the student's benefit or is necessary because of difficulties involved in teaching the student in a regular class.

6. The principal of the school in which the student is taught shall keep a written record of the case history of each exceptional student showing the reason for the student's withdrawal from the regular class in the public school and his enrollment in or withdrawal from a special class for exceptional students. This record shall be available for inspection by school officials at any time.

7. The district school board shall establish the amount to be paid by the district school board for each individual exceptional student contract with a nonpublic school.

(6) CHILD WELFARE.—Provide for the proper accounting for all children of school age, for the attendance and control of pupils at school, and for proper attention to health, safety, and other matters relating to the welfare of children in the following fields, as prescribed in chapter 232.

(a) Admission, classification, promotion, and graduation of pupils.—Adopt rules and regulations for admitting, classifying, promoting, and graduating pupils to or from the various schools of the district, including discretionary power to separate the sexes in the various schools of the district. *Each school board shall adopt policies relating to the assessment and reporting of students' classroom performance. This policy shall clearly assign initial and primary authority for such assessment and reporting to the classroom teacher. The review, modification or appeal of the classroom teacher's assessment and reporting of students' classroom performance can be effected only through established policies of the school board.*

Section 9. Paragraph (e) is added to subsection (9) of section 230.2312, Florida Statutes, 1982 Supplement, to read:

230.2312 Florida Primary Education Program.—

(9) PRIMARY EDUCATION PROGRAM PLANS.—

(e) *A district may apply to the commissioner for approval to update or amend an approved plan.*

Section 10. Paragraphs (a) and (d) of subsection (3) of section 231.36, Florida Statutes, 1982 Supplement, are amended to read:

231.36 Contracts with instructional staff, supervisors, and principals.—

(3)(a) The school board of each district shall provide a professional service contract as prescribed herein. Each member of the instructional staff who completes the following requirements prior to July 1, 1984, shall be entitled to and shall be issued a continuing contract in the form prescribed by rules of the state board pursuant to s. 231.36, Florida Statutes, 1981. Each member of the instructional staff who completes the following requirements on or after July 1, 1984, shall be entitled to and shall be issued a professional service contract in the form prescribed by rules of the state board as provided herein, ~~excluding supervisors and principals, in each district school system who is employed with an effective date of initial employment subsequent to July 1, 1982, who:~~

1. Holds a regular certificate as prescribed by s. 231.17 and rules of the State Board of Education;

2. Has completed 3 years of probationary service in the district, 1 year of which shall be the beginning teacher program where required, during a period not in excess of 5 successive years, such service being continuous except for leave duly authorized and granted; and

3. Has been recommended by the superintendent for such ~~professional service~~ contract and reappointed by the school board based on successful performance of duties and demonstration of professional competence.

~~shall be issued a professional service contract in such form as may be prescribed by rules of the state board.~~

(d) A school board may issue a continuing contract prior to July 1, 1984, and may issue a professional service contract subsequent to July 1, 1984, to any employee who has previously held a professional service contract or continuing contract in the same or another district within this state. *Any employee who holds a continuing contract may, but shall not be required to, exchange such continuing contract for a professional service contract in the same district.*

Section 11. Paragraph (b) of subsection (2) of section 234.211, Florida Statutes, is amended to read:

234.211 Use of school buses for public purposes.—

(2)

(b) Corporations not for profit, established or identified pursuant to Pub. L. No. 89-73, as amended, and providing transportation services for the transportation disadvantaged without compensation, and nonprofit corporations and nonprofit civic organizations and groups, shall provide liability insurance coverage in the amounts specified in s. 234.03. ~~of:~~

1.—\$100,000 liability per single party suit;

2.—\$200,000 liability per joint party suit;

3.—\$50,000 liability per property damage suit; and

4.—\$100 deductible collision, upset loss, or damage to each vehicle.

Section 12. Inservice institutes.—

(1) It is the intent of the Legislature to establish inservice training institutes for the purpose of providing rigorous inservice training for the state's public school instructional personnel as defined in s. 228.041(9). The Legislature shall determine annually in the General Appropriations Act the subject area or areas of instruction for the institutes and the grade levels and subject area specialties of participating instructional personnel.

(2) Not later than July 1, 1984, each public school district shall separately, or in cooperation with an adjoining district or districts, establish an inservice training institute which shall meet the following criteria:

(a) Operate for the number of hours or days specified in the General Appropriations Act.

(b) Operate at a time other than the regular school year for students.

(c) Annually provide rigorous inservice training for district instructional personnel as designated by the Legislature in subsection (1).

(d) Utilize school district or community college facilities as the site for inservice institutes.

(e) Utilize public or private university, college, or community college personnel or teacher education centers to conduct inservice institute training.

(f) Operate summer camps for public school students in the areas of mathematics, science, computer or foreign language instruction as a clinical component of the institute.

(3) Not later than December 1, 1983, and by December 1 each year thereafter, each district or group of districts establishing an inservice institute shall submit to the department for approval, a plan describing how inservice institute training shall be provided for that year. Such plans shall be submitted in a manner and form as prescribed by state board rule, and shall contain:

(a) An estimate of costs for providing inservice activities.

(b) Procedures to evaluate institute activities and the impact such activities have on instructional effectiveness and student achievement.

(c) Such other items as may be required by the state board.

(4) Instructional personnel participating in an inservice training institute may receive compensation for this training as provided for in the General Appropriations Act.

(5) Instructional personnel may use successful participation in an institute for certificate extension or to add new areas to a teaching certificate if a procedure for determining successful participant completion of an institute is included in their district's approved institute plan.

(6) Funding for the institutes established pursuant to this section shall be provided annually in the General Appropriations Act.

PART III COORDINATION OF VOCATIONAL EDUCATION

Section 13. Vocational education, adult general education, and community instructional services planning regions; established.—There shall be established 28 planning regions for vocational education, adult general education, and community instructional services which shall be contiguous with the 28 community college service areas.

Section 14. Regional coordinating councils.—

(1) There shall be established in each vocational education planning region a regional coordinating council for vocational education, adult general education, and community institutional services.

(2) Each regional council shall consist of the superintendent of schools, the directors of vocational education and adult education of each school district within the planning region, the president of the community college, the deans or directors of vocational education and community instructional services of the community college, the Vice President for Academic Programs, or his designee, of each state university servicing the region, a representative of an independent vocational, technical, trade or business school located within the region, to be appointed by the Commissioner of Education, a representative of a branch of the Florida State Employment Service located within the region and lay citizens of the planning region.

(3) Lay members shall comprise no less than 51 percent of each council's voting membership. Lay members shall be appointed by the Governor and confirmed by the State Board of Education for 4-year terms. The Governor shall select lay members for appointment from nominations submitted by economic development councils, chambers of commerce, community development corporations, and other bona fide trade and business organizations within the vocational planning region. At least one lay member of each council shall be a member of a business and industry advisory council or craft committee within the planning region. At least one of each council's total membership shall be a member of a private industry council as provided for by the Jobs Training Partnership Act (P.L. 97-300)

(4) Voting members of the council shall be the lay members, the community college president or his designee, and the school district superintendent or superintendents or their respective designees. In multicounty regions, the superintendent, or his designee, from the county under discussion, on a particular motion, is the only superintendent who has the power to vote.

(5) The Governor shall be responsible for calling the first meeting of the council. The council shall elect a chairman at its first meeting and annually thereafter. The chairman shall preside at all meetings of the council, call special meetings thereof, and attest to actions of the council. The council shall elect a vice chairman who shall act as chairman during the absence or disability of the chairman. The chairman shall notify the Governor whenever a lay member or the independent postsecondary vocational technical school representative of the council fails to attend 3 consecutive meetings in 1 year. Such absences shall be considered a resignation. The council shall provide for maintaining minutes of its meetings.

(6) Each council may appoint committees and other advisory boards as necessary.

(7) The Departments of Education, Commerce, and Labor and Employment Security and the Florida Occupational Information Coordinating Committee shall provide such technical assistance as the boards may request to carry out their assigned responsibilities.

Section 15. Regional coordinating councils; responsibilities.—

(1) The primary goals of each regional coordinating council shall be to:

(a) Maximize effective student articulation in programs of vocational education, adult general education, and community instructional services.

(b) Establish and maintain effective and cooperative linkages with business and industry so that vocational training programs are responsive to the needs of the labor market.

(c) Lead regional efforts in cooperation between school districts, community colleges and state universities.

(2) Each regional council shall assure that the vocational education, adult education, and community instructional services needs of the community are provided for with maximum efficiency, cost effectiveness, and minimum unwarranted duplication. To do so, each council shall have the following powers, duties, and responsibilities:

(a) Review the vocational education, adult education, and community instructional services programs available in the region. As its initial activity, each council shall conduct an analysis of current vocational training, counseling, and placement programs available in the planning region. The council shall identify and list in order of priority the critical opportunities and problems of the region which can be addressed and improved through these programs and shall identify state, federal, and other funding sources to be used to address these priorities. Data used to conduct this analysis shall include labor supply and demand information from the Florida Occupational Information System. This list shall be reviewed at least every 2 years and may be revised at any time. A current list shall be filed with the Commissioner of Education, the Secretaries of the Departments of Commerce and Labor and Employment Security, the Florida Occupational Information Coordinating Committee, and the community college boards of trustees and school boards within the region.

(b) As a result of this review, develop agreements which provide for the assignment of fiscal and programmatic responsibility to either the local community college board of trustees, one or more of the school boards in the region, or a shared arrangement between the local community college and a school board or boards specifically agreed to by the council for the delivery of programs in the following areas: vocational education at the secondary level and below; vocational education at the postsecondary level; community instructional services; and adult basic and high school education. This provision shall not prevent a board assigned responsibility for one or more of these programs from developing joint programs or contracting for specific instructional services with another board or agency, subject to review by the regional coordinating council. However, in order to maintain accountability in each of these programs, all related enrollment projections, FTE reports, cost analyses and other elements required for the allocation of funds shall be the sole responsibility of the assigned board or boards.

(c) Notwithstanding the provisions of ss. 230.03, 230.64, 233.068, 243.11, 243.19, and 243.55, review and evaluate all proposals of the community college boards of trustees and the school boards of the region to address identified needs, including all proposals to create new programs, terminate existing programs or significantly modify existing programs. The council shall review and evaluate program and course proposals on the basis of the need for programs and courses, the populations to be served, existing or potential duplication, labor market supply and demand data, costs of programs and courses, recommendations and information provided by local and regional advisory councils and craft committees, student's fees, and other criteria deemed appropriate by the council. Each council shall give priority to proposals which provide cooperative arrangements with public or independent institutions, agencies, or organizations for use of facilities or resources.

(d) Based upon the evaluation provided for in paragraph (c), the council shall make recommendations relating to the creation, modification or termination of vocational programs, adult general education programs, or community instructional service programs and submit the recommendation in writing to the affected community college board of trustees and the school boards of the planning region. The boards shall accept, reject, or modify such recommendations and submit their response to the council's recommendations to the council in writing. Any recommendation not formally acted upon by the board within 60 days shall be deemed rejected. Should the council and the affected school board or boards or community college board of trustees fail to reach agreement on any proposal, the council or the affected board or boards may appeal to the State Board of Education, sitting as the State Board for Vocational Education, whose decision shall constitute final agency action.

(3) Each regional coordinating council shall prepare an annual report to be submitted to the Commissioner of Education for inclusion in the annual state accountability report, the Secretaries of the Department of Commerce and the Department of Labor and Employment Security, and the Legislature by February 1 of each year. This report shall describe all actions taken by the council to address identified needs, priorities and deficiencies, including the final disposition of all recommendations made by the council.

(4) In order to receive state funding for programs or activities in vocational education, adult general education or community instructional services each community college board of trustees and each school board shall submit its course offerings in these programs and its annual budget for these programs to the appropriate regional council for review.

(5) No new vocational education, adult general education, or community instructional services program shall be eligible for the receipt of state funding unless the program is recommended for approval by the appropriate regional coordinating council.

(6) Should the recommendation of a regional coordinating council that a program be terminated be upheld by the State Board for Vocational Education, no further state funding shall be expended for the program.

(7) Beginning July 1, 1985, the Postsecondary Education Planning Commission shall evaluate the councils on their administrative effectiveness and on the extent to which regional needs are being met and unnecessary duplication is being controlled. No fewer than seven regional coordinating councils shall be evaluated each year.

PART IV STATE EDUCATION POLICY

Section 16. Paragraphs (h), (i), (j), (k), and (l) are added to subsection (1) of section 236.081, Florida Statutes, and paragraph (b) of subsection (6) of said section is amended, to read:

236.081 Funds for operation of schools.—The annual allocation from the Florida Education Finance Program to each district for operation of schools shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(h) *In those academic programs, which are not remedial in nature, through which a student may earn credit towards both a high school diploma and an associate or baccalaureate degree, the student instruction time may be included in the count of full-time equivalent students of the high school at one-half the value of the program cost factor for grades 9 through 12. Students enrolled in such courses may be counted as full-time equivalent students by universities and community colleges offering such instruction. Such instruction may be provided by either community colleges or universities, but must take place at the high school site and shall not include physical education.*

(i) *A value of 0.3 full-time equivalent student membership shall be calculated for each student who receives a score of 3 or higher on the College Board Advanced Placement examination for the prior year and added to the total full-time equivalent student membership in basic programs for grades 9-12 in the subsequent fiscal year.*

(j) *Students in grades 9 through 12 may be counted as full-time equivalent students for instruction provided outside the required number of school days if such instruction counts as credit toward a high school diploma.*

(k) *Students in grades K through 12 who are enrolled for more than 6 semesters in practical arts home economics courses as defined in s. 228.041(22)(d) shall not be counted as full-time equivalent students for this instruction.*

(l) *Students in grades 7-12 who are enrolled for more than four semesters in exploratory vocational education shall not be counted as full-time equivalent students for this instruction.*

(6) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR CURRENT OPERATION.—The total annual state allocation to each district for current operation shall be distributed periodically in the manner prescribed by regulations of the state board and shall be calculated as follows:

(b) The amount thus obtained shall be the net annual allocation to each school district. However, if it is determined that any school district received an underallocation or overallocation for any prior year because of an arithmetical error, assessment roll change, full-time equivalent student membership error, or any allocation error revealed in an audit report, the allocation to that district shall be appropriately adjusted. *If the Department of Education audit adjustment recommendation is based upon controverted findings of fact, the Commissioner of Educa-*

tion is authorized to establish the amount of the adjustment based on the best interest of the state. No amount appropriated to fund the Florida Education Finance Program for fiscal year 1975-1976 shall be expended for any other prior year adjustment.

Section 17. Section 233.61, Florida Statutes, is created to read:

233.61 *Out-of-school learning activities.*—*The Commissioner of Education is authorized to promote academic out-of-school learning activities and to provide recognition of significant accomplishments for such learning through soliciting the cooperation of schools and civic and other community organizations which may act as volunteer sponsors of such activities. The focus of such activities shall be academic areas, with an emphasis on mathematics and science and their applications.*

Section 18. Section 232.04, Florida Statutes, is amended to read:

232.04 In kindergartens.—*For the 1983-1984 school year and thereafter, children who will have attained the age of 5 years on or before September 1 of the date prescribed in this section during the school year shall be eligible for admission to public kindergartens during that school year under rules prescribed by the school board. For the school year 1980, the child must have attained the age of 5 on or before December 1, 1980. For the school year 1981, the child must have attained the age of 5 on or before November 1, 1981. For the school year 1982, the child must have attained the age of 5 on or before October 1, 1982. For the school year 1983 and thereafter, the child must have attained the age of 5 on or before September 1 of the school year. Any child who will attain the age of 5 years subsequent to the date prescribed in this section but prior to January 1 of the school year shall be admitted at the beginning of that school year or at any time during the first month of the school year, provided the child has demonstrated a readiness to enter kindergarten in accordance with criteria as established by the Department of Education.*

Section 19. Section 234.071, Florida Statutes, is hereby repealed.

Section 20. Paragraphs (b) and (c) of subsection (1), paragraphs (a) and (d) of subsection (2), and paragraph (a) of subsection (3) of section 231.17, Florida Statutes, 1982 Supplement, are amended to read:

231.17 Certificates granted on application to those meeting prescribed requirements.—

(1) The Department of Education shall issue a certificate covering the appropriate subject or field to any person possessing the qualifications for such a certificate as prescribed herein and by rules of the state board, who pays the required fee, makes application in writing on the form prescribed by the department, submits satisfactory evidence that he possesses said qualifications, and meets the other requirements of law. Each applicant for certification shall meet the following requirements:

(b) Be at least 18 years of age or have received a bachelor's degree from an accredited institution of higher learning; *however, beginning August 1, 1985, at least 30 of the total number of semester hours required for the baccalaureate degree for secondary school teachers shall be earned in upper division courses offered by a college other than a college of education in the field of specialization;*

(c) Meet such academic and professional requirements based on credentials certified to by standard teacher-training institutions of higher learning, including any institutions of higher learning in this state which are accredited by an accrediting association which is a member of the Council on Postsecondary Accreditation, as may be prescribed by the state board;

(2)(a) *Beginning July 1, 1980, Each certificate issued shall be valid for a period not to exceed 5 years, and each applicant for initial regular certification shall demonstrate, on a comprehensive written examination or through such other procedures as may be specified by the state board, mastery of those minimum essential generic and specialization competencies and other criteria as shall be adopted into rules by the state board, including, but not limited to, the following:*

1. The ability to write in a logical and understandable style with appropriate grammar and sentence structure;

2. The ability to read, comprehend, and interpret professional and other written material;

3. The ability to comprehend and work with fundamental mathematical concepts;

4. The ability to comprehend patterns of physical, social, and academic development in students, including exceptional students in the regular classroom, and to counsel the same students concerning their needs in these areas; and

5. ~~Beginning July 1, 1982,~~ The ability to recognize and be aware of the instructional needs of exceptional students.

(d) A person who meets all certification requirements which have been established by law or rule, other than the passing of the written examination, may be issued an initial temporary certificate for the first year of employment in a public school district in this state. However, the State Board of Education shall adopt criteria for eligibility for the initial temporary certificate for nondegree teachers of vocational education. Such teachers may delay examination requirements specified in paragraphs (b) and (c) until professional educational requirements as established by law or rule are met; however, all examination requirements shall be met prior to the beginning of the ~~sixth~~ fourth year of employment.

(3)(a) ~~Beginning July 1, 1982,~~ No individual shall be issued an initial regular certificate until he has ~~completed 3 school years of satisfactory teaching out of state, pursuant to law and such other criteria as the state board shall require by rule, or has successfully completed a year-long beginning teacher program.~~ The year-long beginning teacher program shall be for all teachers without a regular certificate and ~~with less than 3 years' out-of-state teaching experience and shall be conducted during an individual's initial year of employment in a school district in this state subsequent to July 1, 1982.~~ A teacher participating in the beginning teacher program shall be a member of the bargaining unit with the same rights as any other first-year teacher and shall receive full pay according to the adopted salary schedule of the district. The requirement for a year-long beginning teacher program may be met by teaching in a nonpublic school with an approved beginning teacher program. The beginning teacher program shall include, but is not limited to, the following conditions:

1. Each school district shall submit a request for approval of a beginning teacher program to the Commissioner of Education. The commissioner shall develop criteria for approval after consultation with the Education Standards Commission. Nonpublic schools also may submit a plan for approval of a beginning teacher program.

2. Beginning teacher activities shall be based on classroom application of the competencies described in subsection (2).

3. Successful completion of the beginning teacher program means that the superintendent or chief administrator has verified to the Department of Education that the beginning teacher has successfully completed the program.

4. A beginning teacher who has successfully completed the beginning teacher program shall have the same reemployment rights as any other teacher on probationary service.

Section 21. Subsection (2) of section 229.555, Florida Statutes, is amended to read:

229.555 Educational planning and information systems.—

(2) COMPREHENSIVE MANAGEMENT INFORMATION SYSTEMS.—The commissioner shall develop and implement an integrated information system for educational management. The system shall support, as feasible, the management decisions to be made in each division of the department and at the individual school and district levels. Similar data elements among divisions and levels shall be compatible. The system shall be based on an overall conceptual design; the information needed for such decisions, including fiscal, student, program, personnel, facility, community, evaluation, and other relevant data; and the relationship between costs and effectiveness. The system shall be managed and administered by the commissioner and shall include a district subsystem component to be administered at the district level, *with input from the reports-and-forms control management committees.* Each district school system with a unique management information system shall assure that compatibility exists between its unique system and the district component of the state system to the extent that all data required as input to the state system shall be made available in the appropriate input format.

(a) The specific responsibilities of the commissioner shall include the following:

1. Consulting with school district representatives in the development of the system design model and implementation plans for the management information system for public school education management;

2. Providing operational definitions for the proposed system;

3. Determining the information and specific data elements required for the management decisions made at each educational level, recognizing that the primary unit for information input shall be the individual school *and recognizing that time and effort of instructional personnel expended in collection and compilation of data should be minimized;*

4. Developing standardized terminology and procedures to be followed at all levels of the system;

5. Developing a standard transmittal format to be used for collection of data from the various levels of the system;

6. Developing appropriate computer programs to assure integration of the various information components dealing with students, personnel, facilities, fiscal, program, community, and evaluation data;

7. Developing the necessary programs to provide statistical analysis of the integrated data provided in subparagraph 6. in such a way that required reports may be disseminated, comparisons may be made, and relationships may be determined in order to provide the necessary information for making management decisions at all levels;

8. Developing output report formats which will provide district school systems with information for making management decisions at the various educational levels;

9. Developing a phased plan for distributing computer services equitably among all public schools and school districts in Florida as rapidly as possible. The plan shall describe alternatives available to the state in providing such computing services and shall contain estimates of the cost of each alternative, together with a recommendation for action. In developing such plan, the feasibility of shared use of computing hardware and software by school districts, community colleges, and universities shall be examined. Laws or administrative rules regulating procurement of data processing equipment, communication services, or data processing services by state agencies shall not be construed to apply to local agencies which share computing facilities with state agencies;

10. Assisting the district school systems in establishing their subsystem components and assuring compatibility with current district systems;

11. Establishing procedures for continuous evaluation of system efficiency and effectiveness;

12. Initiating a reports-management and forms-management system to ascertain that duplication in collection of data does not exist and that forms and reports *for reporting under state and federal requirements and other forms and reports* are prepared in a logical and uncomplicated format, resulting in a reduction in the number and complexity of required reports, particularly at the school level; and

13. Initiating such other actions as are necessary to carry out the intent of the Legislature that a management information system for public school management needs be implemented. *Such other actions shall be based on criteria including but not limited to:*

a. *The purpose of the reporting requirement;*

b. *Its origination;*

c. *Date of origin; and*

d. *Date of repeal.*

(b) The specific responsibilities of each district school system shall include:

1. Establishing a district level reports-control and forms-control management system *committee composed of school administrators and classroom teachers. The district school board shall appoint school administrator members and classroom teacher members or, in school districts where appropriate, the classroom teacher members shall be appointed by the bargaining agent. Teachers shall constitute a majority of the committee membership. The committee shall periodically recommend procedures to the district school board for eliminating, reducing, revising, and consolidating paperwork and data collection requirements, and shall submit to the district school board an annual report of its findings by July 1, 1977.*

2. With assistance from the commissioner, developing systems compatibility between the state management information system and unique local systems.

3. Providing, with the assistance of the department, inservice training dealing with management information system purposes and scope, a method of transmitting input data, and the use of output report information.

4. Establishing a plan for continuous review and evaluation of local management information system needs and procedures.

5. Advising the commissioner of all district management information needs.

6. Transmitting required data input elements to the appropriate processing locations in accordance with guidelines established by the commissioner.

7. Determining required reports, comparisons, and relationships to be provided to district school systems by the system output reports, continuously reviewing these reports for usefulness and meaningfulness, and submitting recommended additions, deletions, and change requirements in accordance with the guidelines established by the commissioner.

8. Being responsible for the accuracy of all data elements transmitted to the department.

(c) It is the intent of the Legislature that the expertise in the state system of public education, as well as contracted services, be utilized to hasten the plan for full implementation of a comprehensive management information system.

Section 22. Paragraph (h) is added to subsection (2) of section 229.565, Florida Statutes, to read:

229.565 Educational evaluation procedures.—

(2) EDUCATION EVALUATION.—The Commissioner of Education shall periodically examine and evaluate procedures, records, and programs in each district to determine compliance with law and rules established by the state board. Such evaluations shall include, but not be limited to:

(h) *Clearly defined data collection and documentation requirements, including specifications of which records and information need to be kept and how long the records need to be retained. The information and documentation needs for evaluation shall be presented to the school districts and explained well in advance of the actual audit date.*

Section 23. Subsection (1) of section 229.8041, Florida Statutes, is amended to read:

229.8041 Educational computing.—

(1) STATE POLICY.—It is the policy of the state to use computers and related technology to make instruction and learning more effective and efficient, and to make educational programs more relevant to contemporary society, and to reduce the paperwork and data collection requirements placed on classroom teachers.

Section 24. Paragraph (c) of subsection (2) of section 236.013, Florida Statutes, is amended to read:

236.013 Definitions.—Notwithstanding the provisions of s. 228.041, the following terms shall be defined as follows for the purpose of this act:

(2) A "full-time equivalent student" in each program of the district is defined in terms of full-time students and part-time students as follows:

(c) A "full-time equivalent student" is:

1. A full-time student in any one of the programs listed under the cost factors in s. 236.081(1)(c); or

2. A combination of full-time or part-time students in any one of the programs listed under the cost factors in s. 236.081(1)(c) which is the equivalent of one full-time student based on the following calculations:

a. A full-time student, except postsecondary and adult students and senior high school students enrolled in adult education when such courses are required for high school graduation, in a combination of programs listed under the cost factors in s. 236.081(1)(c) shall be a fraction of a full-time equivalent membership in each special program equal to the

number of net hours per week for which he is a member, divided by 25; the difference between that fraction or sum of fractions and twenty-five twenty-fifths of the week for each full-time student shall be presumed to be the balance of the student's time not spent in said special education programs and shall be recorded as time in the appropriate basic program.

b. A student in the basic half-day kindergarten program of not less than 12½ net hours shall earn one-half of a full-time equivalent membership.

c. A half-day kindergarten student in a combination of programs listed under the cost factors in s. 236.081(1)(c) shall be a fraction of a full-time equivalent membership in each special program equal to the number of net hours or major portion thereof per week for which he is a member divided by 25; the difference between that fraction and twelve and one-half twenty-fifths of the week for each full-time student in membership in a half-day kindergarten program shall be presumed to be the balance of the student's time not spent in said special education programs and shall be recorded as time in the appropriate basic program.

d. A part-time student, except postsecondary and adult, shall be a fraction of a full-time equivalent membership in each basic and special program equal to the number of net hours or major fraction thereof per week for which he is a member, divided by 25.

e. All postsecondary and adult students and senior high school students enrolled in adult education when such courses are required for high school graduation shall be a portion of a full-time equivalent membership in each special program equal to the net hours or major fraction thereof per fiscal year for which he is a member, divided by 900.

f. A full-time student who is part of a program authorized by subparagraph (a)3. in a combination of programs listed under the cost factors in s. 236.081(1)(c) shall be a fraction of a full-time equivalent membership in each regular or special program equal to the number of net hours per week times the number of weeks for which he is a member, divided by 900.

3.—~~A student who lacks three credits or less for graduation and who is in membership for only that portion of the school day or of the school year necessary to earn such credits, pursuant to s. 228.041(13), shall be considered a full-time equivalent student. A student shall attend class at least three periods a day during the semester the student is in membership. The difference between actual membership and computed membership of such student shall be reported in the basic program of grades 10, 11, and 12.~~

3.4. A student in membership in a program scheduled for more or less than 180 school days shall be a fraction of a full-time equivalent membership equal to the number of days more or less in proportion thereto times the applicable computations set forth in subparagraphs 1. and 2.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days shall be limited to:

a. Special programs for exceptional students;

b. Special vocational-technical programs;

c. Special adult general education programs;

d. Alternative education programs provided for students in Department of Health and Rehabilitative Services residential care facilities;

e. The Florida Primary Education Program or an approved alternative, as provided in s. 230.2312, for those students who were receiving the preventative instructional strategies for all of the last 45 days of the 180-day term and in need of such additional instruction;

f. Basic programs of educational alternatives; and

g. Other basic programs offered for promotion or credit instruction as defined by rules of the state board.

Membership in programs scheduled for less than 180 days may include membership in programs which modify the school year to accommodate the needs of children who have moved with their parents for the purpose of engaging in the farm labor or fish industries, provided that such programs are approved by the commissioner.

4.5. The department shall determine and implement an equitable method of equivalent funding for experimental schools and for schools operating under emergency conditions, which have been approved by the department under the provisions of s. 228.041(13) to operate for less than the minimum school day.

Section 25. Subsection (2) of section 236.0811, Florida Statutes, is amended to read:

236.0811 Educational training.—

(2)(a) Pursuant to rules of the State Board of Education, each district shall develop and submit to the commissioner for approval a 5-year master plan for inservice educational training. The plan shall be based on an assessment of the district's inservice educational training needs conducted by a committee which shall include parents, classroom teachers, and other educational personnel. The plan shall include a component consisting of competencies in the identification, assessment, and prescription of instruction for exceptional students. The plan shall be updated annually by July 1 and shall include inservice activities for all district employees, from all fund sources.

(b) *An organization of nonpublic schools having not less than 10 member schools in Florida, which publishes and files with the Department of Education copies of its standards and whose member schools comply with the provisions of chapter 232 relating to compulsory attendance, may also develop a master plan for inservice educational training. The plan shall be submitted to the commissioner for approval pursuant to rules of the State Board of Education. Costs associated with approval of the plan, such as travel, per diem, and substitutes required for onsite reviews, shall be determined in accordance with criteria established by the Department of Education and shall be borne by the organization.*

Section 26. Adjunct instructor.—

(1) The Legislature finds that there is a critical shortage of qualified teachers in various academic and specialization areas. Further, there is an abundance of talent in these critical areas in the state's private sector and among its retired citizenry. It is hereby declared that the intent of the Legislature as expressed in this act is to encourage the full utilization of available resources outside the current teacher pool to meet these critical needs for qualified teachers.

(2) The provisions of ss. 231.14, 231.15, 231.17, and 231.24, Florida Statutes, notwithstanding, the State Board of Education shall adopt rules providing for the issuance of certificates for a classification of school services for persons learned and experienced in areas of critical teacher shortage, including university and community college teaching personnel, but lacking the academic coursework in education required of persons seeking the regular, temporary, part-time, or substitute teaching certificate. Such certificates shall be designated as adjunct instructor certificates and may be further restricted to particular fields of expertise within the appropriate disciplines as determined by state board rule.

(a) Recipients of such certificates shall be entitled to teach in the public schools of the state in the field or fields of critical teacher shortage designated on such certificate, but shall not be employed by any school district to teach in any other field without regular certification pursuant to ss. 231.14, 231.15, 231.17, or 231.24, Florida Statutes, in such additional fields.

(b) The state board shall specify by rule those minimum essential generic and specialization competencies which must be demonstrated by persons seeking certificates as adjunct instructors in areas of critical teacher shortage, and shall establish fees for such applications and competency examinations as may be appropriate.

(c) Holders of such adjunct instructor certificates shall not be eligible for membership in the bargaining unit for instructional personnel in each district. The holder of an adjunct instructor certificate shall be employed on an annual contract basis only and shall not be eligible for a professional service contract. The granting of successive annual contracts to the holder of an adjunct instructor certificate shall not give rise to a claim of expectation of continuing employment.

(d) Districts may contract with such certificated adjunct instructors for part-time services on an hourly, daily, or other periodic basis as best meets the needs of the district. An adjunct instructor shall not fill a position for which a qualified teacher with an infield regular certificate is available. An orientation program shall be developed and implemented for adjunct teachers. Orientation programs shall be the responsibility of the school districts.

Section 27. Consortium on the quality of instructional materials; created.—The Commissioner of Education, State Board of Education or the Legislature, as appropriate, shall enter into a consortium with other

interested states for the purpose of developing and recommending strategies to be employed by the states to raise the quality of public school instructional materials.

Section 28. The Department of Education shall conduct a study to determine the feasibility of adding subject area subtests to the comprehensive written examination required by s. 231.17, Florida Statutes, in areas relating to the specialization area in which the candidate will seek certification. The study shall include findings, conclusions and recommendations relating to:

(1) The current availability of any tests which might be used for this purpose and an analysis of any constraints, limitations, or considerations associated with the use of such tests.

(2) In the event that no such tests are determined to be available, an analysis shall be conducted of the fiscal, legal, and administrative considerations associated with the development of such tests by the Florida Department of Education or through any other test development procedures which might be deemed more appropriate and expedient. The department shall report its findings to both houses of the Legislature by March 1, 1984.

Section 29. Section 231.608, Florida Statutes, is amended to read:

231.608 Evaluation.—Each teacher education center shall submit an annual report to the department and the Education Standards Commission. This report shall *provide attainment data* be based on the measurable objectives of the center proposal and shall include, but not be limited to, the following:

(1) *Product evaluation of programs to indicate:*

(a) *Increased knowledge and skill of participants as indicated by pre-test and post-test data and other valid measures.*

(b) *Successful demonstration of knowledge and skills gained by center program participants in their regular work setting.*

(2)(4) *A description and evaluation of the extent of collaboration among the participating groups* ~~programs conducted under the supervision of the center.~~

(3)(2) *The number of participants in center program activities and the time allotted to each activity.*

(4)(3) *A description and evaluation of methods of center operations.*

(5)(4) *A statement of center expenditures by object code.*

Section 30. Notwithstanding the provisions of section 29 of chapter 82-242, Laws of Florida, sections 231.600, 231.601, 231.602, 231.603, 231.605, 231.606, 231.607, 231.608, 231.609, 231.610, and 231.611, Florida Statutes, shall not stand repealed on October 1, 1983, as scheduled by such section, but are hereby revived and readopted.

Section 31. Sections 231.600, 231.601, 231.602, 231.603, 231.605, 231.606, 231.607, 231.608, 231.609, 231.610, and 231.611, Florida Statutes, are hereby repealed on October 1, 1985, and shall be reviewed by the Legislature prior to such date.

Section 32. Subsection (22) of section 228.041, Florida Statutes, 1982 Supplement, is amended to read:

228.041 Definitions.—Specific definitions shall be as follows, and wherever such defined words or terms are used in the Florida School Code, they shall be used as follows:

(22) VOCATIONAL EDUCATION.—“Vocational education” is defined as meaning that instruction not leading to a baccalaureate degree, either graded or ungraded, listed below:

(a) *Job-preparatory instruction in the minimum competencies necessary for effective entry into an occupation, including diversified cooperative education, work experience, and job entry programs which coordinate directed study and on-the-job training; Instruction which is given to persons for the purpose of developing occupational proficiency necessary for gainful employment;*

(b) *Exploratory courses designed to give students initial exposure to the skills and aptitudes associated with a broad range of occupations in order to assist them in making informed decisions regarding their future academic and occupational goals; Instruction in exploratory courses which are designed to familiarize persons with the world of work and to motivate them to pursue courses in vocational education;*

(c) *Supplemental programs designed to enable persons who are or have been employed in a specific occupation to upgrade their competencies in order to re-enter, maintain stability or advance within their occupation; or Instruction in prevocational or technically oriented industrial arts; or*

(d) *Practical arts courses designed to teach students practical generic skills which, though applicable to some occupations, are not designed to prepare students for entry into a specific occupation. Such courses may include, but not be limited to, typing, industrial arts and home economics. Instruction in vocationally oriented home economics.*

Section 33. Amendments to sections of the Florida Statutes enacted by this act shall not operate to repeal or otherwise negate amendments to the same sections which may have been enacted at the 1983 Regular Session of the Florida Legislature and which are not indicated herein, and full effect shall be given to each, if that is possible. If provisions of this act are in direct conflict with amendments enacted at the 1983 Regular Session of the Legislature, the provisions of this act shall control.

Section 34. This act shall take effect July 1, 1983, except that section 1 shall take effect July 1, 1984.

Conference Committee Amendment 2—In title, on page 1, line 1, strike the title and insert: A bill to be entitled An act relating to education; amending s. 232.246, Florida Statutes; substantially revising general requirements for high school graduation; requiring completion of specified credits; providing for exceptions; requiring mastery of performance standards; directing district school boards to adopt student performance standards; amending the introductory paragraph of s. 232.2465, Florida Statutes, 1982 Supplement, and paragraph (1)(a) thereof; including developmental research school students in the Florida Academic Scholars' Program; revising requirements for qualification; creating s. 232.425, Florida Statutes; providing student standards for participation in inter-scholastic extracurricular activities; amending s. 229.814(4), Florida Statutes; revising requirements for the secondary level examination program; amending s. 232.247, Florida Statutes, relating to special high school graduation requirements for exceptional students, revising terminology; providing for certificates of completion for profoundly handicapped students; amending s. 230.03, Florida Statutes; providing for management of the district school system; amending s. 230.23(4)(m) and (6)(a), Florida Statutes, 1982 Supplement, relating to powers and duties of school boards; revising provisions relating to hearings for identification, evaluation, or placement of exceptional students; directing school boards to adopt policies relating to assessment and reporting of students' classroom performance; adding paragraph (e) to s. 230.2312(9), Florida Statutes, 1982 Supplement; authorizing school districts to apply to the Commissioner of Education for approval to update or amend approved primary education program plans; amending s. 231.36(3)(a) and (d), Florida Statutes, 1982 Supplement; providing for issuance of professional service contracts after July 1, 1984; amending s. 234.211(2)(b), Florida Statutes; requiring the same amount of liability insurance coverage for buses transporting the transportation disadvantaged and certain school-age children as for buses transporting student membership; providing for establishment of inservice training institutes for instructional personnel in the school districts; providing for establishment of vocational education planning regions; providing for regional vocational coordinating councils; providing powers and duties; adding paragraphs (h)-(l) to s. 236.081(1), Florida Statutes, and amending paragraph (6)(b); revising the procedure for determining the annual allocation to each district for operation; authorizing the Commissioner of Education to establish the amount of allocation adjustment under certain conditions; creating s. 233.61, Florida Statutes; authorizing the Commissioner of Education to promote academic out-of-school learning activities; amending s. 232.04, Florida Statutes; deleting obsolete provisions and provisions authorizing early entrance to kindergarten; repealing s. 234.071, Florida Statutes, relating to the requirement that school boards arrange for surveys of school transportation routes; amending s. 231.17(1)(b) and (c), (2)(a) and (d), and (3)(a), Florida Statutes, 1982 Supplement; revising certification requirements; revising the date by which certain certification examination requirements must be met; deleting out-of-state teaching experience as an alternative to the beginning teacher program; amending s. 229.555(2), Florida Statutes; revising provisions relating to comprehensive management information systems and the responsibilities of the commissioner and the school boards with respect thereto; providing for district level reports-control and forms-control management system committees; adding paragraph (h) to s. 229.565(2), Florida Statutes; providing criteria for periodic evaluation of data collection and documentation requirements; amending s.

229.8041(1), Florida Statutes; providing a statement of policy to reduce data collection requirements placed on classroom teachers; amending s. 236.013(2)(c), Florida Statutes; redefining "full-time equivalent student"; amending s. 236.0811(2), Florida Statutes; authorizing certain organizations of nonpublic schools to develop a master plan for inservice educational training; providing for adjunct instructor certificates; authorizing participation in a consortium on instructional materials; requiring a feasibility study of teacher certification examination modification; amending s. 231.608, Florida Statutes; providing for content of teacher education center evaluation reports; providing for the reenactment of the Teacher Education Center Act and for sunset of said act; amending s. 228.041(22), Florida Statutes, 1982 Supplement; redefining "vocational education"; providing effective dates.

The Conference Committee Report was read and on motion by Senator Peterson was adopted. SB 6-B passed as recommended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gersten	Kirkpatrick	Plummer
Barron	Girardeau	Langley	Rehm
Beard	Grant	Malchon	Scott
Carlucci	Grizzle	Mann	Stuart
Castor	Hair	Margolis	Thomas
Childers, D.	Henderson	Maxwell	Thurman
Childers, W. D.	Hill	McPherson	Vogt
Crawford	Jenne	Meek	Weinstein
Dunn	Jennings	Myers	
Frank	Johnston	Neal	

Nays—None

INTRODUCTION AND REFERENCE OF BILLS

On motion by Senator Peterson, by unanimous consent the following bill was introduced out of order:

By Senators Peterson, Maxwell, Barron, Grant, Frank and Hair—

SB 38-B—A bill to be entitled An act relating to education; creating the Educational Reform Act of 1983; providing definitions; amending s. 229.565(1), Florida Statutes, and adding a new subsection (2); requiring minimum student performance standards in science and computer literacy; requiring State Board of Education approval of standards of excellence in mathematics and science; creating s. 233.51, Florida Statutes, requiring the Commissioner of Education to develop a state comprehensive plan for mathematics, science, and computer education; creating s. 233.52, Florida Statutes, providing for programs of excellence; creating s. 233.54, Florida Statutes; providing for mathematics, science, and computer learning laboratories; creating s. 233.55, Florida Statutes; providing for postsecondary education programs of excellence in mathematics, science, and computer education; providing for summer camp programs; creating s. 233.56, Florida Statutes; providing for regional centers of excellence in mathematics, science, computers, and technology; creating s. 233.57, Florida Statutes; providing for a teacher scholarship-loan program; creating s. 233.58, Florida Statutes; providing for a critical teacher shortage tuition reimbursement program; creating s. 233.59, Florida Statutes; providing for a student loan forgiveness program; providing for establishment of a Visiting School Scholars Program; amending s. 228.041(16), Florida Statutes, 1982 Supplement; increasing the number of hours of instruction in public high schools; amending s. 236.013(2)(a), Florida Statutes; redefining "full-time student" for purposes of determining full-time equivalent students; amending s. 236.02(2), Florida Statutes, and adding a new subsection (3) thereto; modifying the minimum term of operation of schools by providing a minimum number of hours of instruction; providing minimum periods of instruction per school day; creating s. 231.088, Florida Statutes; creating the Florida Quality Instruction Incentives Council; creating s. 231.0881, Florida Statutes; establishing district quality instruction incentives programs; creating s. 231.0882, Florida Statutes; establishing the Florida Meritorious Instructional Personnel Program; creating s. 231.0883, Florida Statutes, requiring the development of subject area tests for certification as an associate master teacher or master teacher; creating the Educational Reform Study Commission; providing for membership and duties; providing for a report to the Governor and Legislature; providing for implementation as authorized in specified appropriations acts; providing an effective date.

—which was read the first time by title and referred to the Committee on Education.

On motions by Senator Peterson, by two-thirds vote SB 38-B was withdrawn from the Committee on Education and by unanimous consent taken up *instanter*.

On motions by Senator Peterson, by two-thirds vote SB 38-B was read the second time by title and by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gersten	Kirkpatrick	Plummer
Barron	Girardeau	Langley	Rehm
Beard	Grant	Malchon	Scott
Carlucci	Grizzle	Mann	Stuart
Castor	Hair	Margolis	Thomas
Childers, D.	Henderson	Maxwell	Thurman
Childers, W. D.	Hill	McPherson	Vogt
Crawford	Jenne	Meek	Weinstein
Dunn	Jennings	Myers	
Frank	Johnston	Neal	

Nays—None

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Curtis Peterson, President

I am directed to inform the Senate that the House of Representatives has admitted for introduction by the required Constitutional two-thirds vote of the membership and passed with amendments—

SB 3-B—A bill to be entitled An act relating to taxation; s. 212.08(7)(c), Florida Statutes, 1982 Supplement, as amended; clarifying the definition of charitable institutions, scientific organizations, and veteran organizations; adding s. 212.08(7)(u), Florida Statutes, 1982 Supplement; providing exemptions for certain organizations which provide certain benefits to minors; creating s. 212.09, Florida Statutes; establishing refund procedures; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 13, strike everything after the enacting clause and insert:

Section 1. Paragraphs (a) and (c) of subsection (7) of section 212.08, Florida Statutes, 1982 Supplement, as amended by Committee Substitute for Senate Bill 309 and Committee Substitute for Senate Bill 916, 1983 Regular Session, are amended, and paragraph (v) is added to said subsection, to read:

212.08 Sales, rental, storage, use tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following tangible personal property are hereby specifically exempt from the tax imposed by this chapter.

(7) MISCELLANEOUS EXEMPTIONS.—

(a) Religious, charitable, scientific, educational, and veteran.—There shall be exempt from the tax imposed by this chapter articles of tangible personal property sold or leased directly to or by churches or sold or leased to nonprofit religious, nonprofit educational, nonprofit scientific or nonprofit charitable institutions and the state headquarters of any qualified veterans' organization and the state headquarters of its auxiliary for veterans' organizations when used in carrying on their customary nonprofit religious, nonprofit educational, nonprofit scientific, nonprofit charitable, or veterans' organization activities, including church cemeteries. If a qualified veteran organization or its auxiliary does not maintain a permanent state headquarters, then articles of tangible personal property sold or leased to such organization and used to maintain the office of the highest ranking state official shall be exempt from the tax imposed by this chapter.

(c) Restrictive definitions.—The provisions of this section authorizing exemptions from tax shall be strictly defined, limited, and applied in each category as follows:

1. "Religious institutions" means churches and established physical places for worship in this state at which nonprofit religious services and activities are regularly conducted and carried on.

2. "Educational institutions" means state tax-supported or parochial, church and nonprofit private schools, colleges, or universities conducting regular classes and courses of study required for accreditation by or membership in the Southern Association of Colleges and Secondary Schools, Department of Education, the Florida Council of Independent Schools, or the Florida Association of Christian Colleges or Schools. Nonprofit libraries, art galleries, and museums open to the public are defined as educational institutions and are eligible for exemption. The term "educational institutions" includes private nonprofit corporations whose purpose is to raise funds for high schools, colleges and universities located in this state. The term "educational institutions" includes any educational television or radio network or system established pursuant to s. 229.805 or s. 229.8051 and any nonprofit television or radio station which is a part of such network or system and which holds a current exemption from federal income tax under s. 501(c)(3) of the Internal Revenue Code.

3. "Charitable institutions" means only nonprofit corporations qualified as nonprofit pursuant to s. 501(c)(3), United States Internal Revenue Code, 1954, as amended, and ~~or~~ other nonprofit entities, whose sole or primary function is providing, or raising funds for organizations providing, one or more of the following services if a reasonable percentage of such service is provided free of charge, or a reasonable percentage is provided at substantially reduced cost, to those unable to pay:

- Providing medical aid for the relief of disease, injury, or disability;
- Providing on a regular basis physical necessities such as food, clothing, or shelter;
- Services which provide for the prevention or rehabilitation of alcoholism or; drug abuse; the prevention of suicides; or the alleviation of mental, physical or sensory health problems; ~~and~~
- Social welfare services including adoption placement, child care, community care for the elderly and other social welfare services which clearly and substantially benefit a disadvantaged or hardshipped client population;
- Engaging primarily in medical research for the relief of disease, injury, or disability;
- Providing legal services.

4. "Veterans' organizations" means nationally chartered or recognized veterans' organizations including but not limited to; Florida chapters of the Paralyzed Veterans of America, Catholic War Veterans U.S.A., and Jewish War Veterans, and the Disabled American Veterans, Department of Florida, Inc., holding a current exemption from federal income tax under s. 501(c)(4) or s. 501(c)(19) of the Internal Revenue Code, ~~or, in the case of the Disabled American Veterans, Department of Florida, Inc., and its auxiliaries, under s. 501(c)(4) of said code.~~

5. "Scientific organizations" means scientific organizations in Florida holding a current exemption from federal income tax under s. 501(c)(3) of the Internal Revenue Code. The exemption for scientific organizations shall inure to the taxpayer only through refund of previously paid taxes.

6. The Department of Revenue shall adopt rules providing for the review and renewal or revocation of exemptions granted to religious, educational, scientific, or charitable institutions hereunder within 5 years from the date the exemption was established by the department. Such rules shall provide procedures which allow an organization whose exemption is proposed to be revoked by the department a period of 6 months before the revocation shall become effective to correct any operational deficiencies determined by the department to exist.

a. Any institution whose exemption is revoked by the department shall be subject to any tax, penalty, or interest due under this chapter only after the effective date of the revocation.

b. Any institution whose qualification for exemption under s. 501(c)(3), Internal Revenue Code, 1954, as amended, is revoked by the Internal Revenue Service, and which has used such qualification as the basis for exemption under this subsection, shall notify the Department of Revenue of the revocation within 30 days and shall provide to the department the facts and circumstances surrounding the revocation.

c. All exemptions which have been heretofore granted by the department under this subsection shall be reviewed and renewed or revoked after the effective date of this act.

(v) Nationally recognized organizations providing special educational and social benefits to minors.—Purchases of tangible personal property by the state headquarters or regional offices of the following organizations shall be exempt from the tax imposed by this chapter to the extent authorized herein. It is the legislative intent that this exemption apply only to nationally recognized organizations of significant longevity which primarily provide clear and substantial educational and social benefits to minors, essentially more meaningful in nature than merely recreational or supervisory services, including the Boy Scouts of America, the Girl Scouts of America, Camp Fire, Inc., 4-H, Boys Club, Girls Club, YMCA, YWCA, YMHA, YWHA, youth organizations sponsored and funded by nationally recognized religious institutions, and parent-teacher associations. This exemption shall inure to the taxpayer only through refund of previously paid taxes.

Section 2. Section 212.095, Florida Statutes, is created to read:

212.095 Refunds.—

(1) No exemption granted on a refund basis pursuant to this part shall be authorized except as provided in this section.

(2) Agents of the department are authorized to go upon the premises of any refund permit holder, or duly authorized agent thereof, to make inspection to ascertain any matter connected with the operation of this section or the enforcement thereof. However, no agent shall enter the dwelling of any person without the occupant's consent or authority from a court of competent jurisdiction.

(3)(a) No person shall secure a refund under this part unless such person is the holder of an unrevoked refund permit issued by the department before the purchase for which a refund is sought, which permit shall be numbered and issued annually.

(b) To procure a permit, every person shall file with the department an application on forms furnished by the department stating that he is entitled to a refund according to the provisions of this part and that he intends to file an application for refund for the current calendar year, and shall furnish the department such other information as the department shall request.

(c) No person shall in any event be allowed a refund unless he has filed the application provided for in paragraph (b) with the department. The permit shall be effective on the date issued by the department.

(d) If an applicant for a refund permit has violated any provision of this section or any regulation pursuant thereto, or been convicted of bribery, theft, or false swearing within the period of 5 years preceding the application, or if the department has evidence of the applicant's financial irresponsibility, the department may require the applicant to execute a corporate surety bond of \$1,000 to be approved by the department, conditioned upon the payment of all taxes, penalties, and fines for which such applicant may become liable under this part.

(4)(a) When a sale is made to a person who claims to be entitled to a refund under this section, the seller shall make out a sales invoice, which shall contain the following information:

1. The name and business address of the purchaser.
2. A description of the item sold.
3. The date on which purchase was made.
4. The price and amount of tax paid for said item.
5. The name and place of business of the seller at which the sale was made.
6. The refund permit number of the purchaser.

(b) The sales invoice shall be retained by the purchaser for attachment to his application for refund, as a part thereof. No refund shall be allowed unless the seller executes such invoice and proof of payment of such taxes for which refund is claimed is attached. The department may refuse to grant a refund if the invoice is incomplete and fails to contain the full information required herein.

(c) No person shall execute a sales invoice, as described in paragraph (a), except a dealer duly registered pursuant to this part, or an authorized agent thereof.

(5) The right to receive any refund under the provisions of this section shall not be assignable, except to the executor or administrator, or to the receiver, trustee in bankruptcy, or assignee in insolvency proceedings, of such person entitled thereto.

(6)(a) No refund shall be authorized unless sworn applications therefor containing the information required herein are filed with the department not later than 30 days immediately following the quarter for which refund is claimed. When claim is filed after said 30 days and there is presented to the department a justified excuse for late filing and the last preceding claim has been filed on time, such late filing may be accepted through 60 days following said quarter. No refund shall be authorized unless the amount due is for \$5 or more in any quarter and unless application is made upon forms prescribed by the department.

(b) Claims shall be filed and paid on a calendar quarter basis. The department shall deduct a fee of \$2 for each claim, which \$2 shall be deposited in the General Revenue Fund.

(c) Refund application forms shall include at a minimum the following information:

1. The name and address of the person claiming said refund.
2. The refund permit number of the said person.
3. The location at which the items for which a refund is claimed are used.
4. A description of said item and the purpose for which the item was acquired.
5. Copies of the sales invoices of items for which a refund is being claimed.

(7)(a) Each registered dealer shall, in accordance with the department's requirements, keep at his principal place of business in this state, or at the location where the sale is made, a complete record or duplicate sales tickets of all items sold by him for the refund provided in this section, which records shall contain the information required in paragraph (4)(a). No licensed dealer or his agent or employee shall acknowledge or assist in the preparation of any claim for tax refund.

(b) Every person to whom a refund permit has been issued under this section shall, in accordance with the department's requirements, keep at his residence or principal place of business in this state a record of each purchase for which a refund is claimed, including the information required in paragraph (4)(a).

(c) The records required to be kept under this subsection shall at all reasonable hours be subject to audit or inspection by the department or by any person duly authorized by it. Such records shall be preserved and shall not be destroyed until 3 years after the date the item to which they relate was sold or purchased.

(d) The department shall keep a permanent record of the amount of refund claimed and paid to each claimant. Such records shall be open to public inspection.

(8)(a) If any taxes are erroneously refunded, the department shall advise the payee by registered mail of the erroneous refund. If the payee fails to reimburse the state within 15 days after the receipt of letter, an action may be instituted by the department against such payee in the circuit court, and the department shall recover from the payee the amount of the erroneous refund plus a penalty of 25 percent.

(b) No person shall knowingly make a false or fraudulent statement in an application for refund permit or in an application for refund of any taxes under this section; fraudulently obtain a refund of such taxes; or knowingly aid or assist in making any such false or fraudulent statement or claim.

(c) The refund permit of any person who violates any provisions of this section shall be revoked by the department and may not be reissued until 2 years have elapsed from the date of such revocation. The refund permit of any person who violates any other provision of this part may be suspended by the department for any period, in its discretion, not exceeding 6 months.

(9) Refund permits and refund application forms shall include instructions for dealers and purchasers as to the relevant requirements of this section.

Section 3. Paragraph (e) is added to subsection (5) of s. 212.08, Florida Statutes, 1982 Supplement, as amended by Committee Substitute for Senate Bill 916 and Committee Substitute for Senate Bill 309, 1983 regular session, to read:

212.08 Sales, rental, storage, use tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following tangible personal property are hereby specifically exempt from the tax imposed by this chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(e) Gas used for certain agricultural purposes.—Butane gas, propane gas and all other forms of liquified petroleum gases shall be exempt from the tax imposed by this chapter if used in any tractor, vehicle, or other farm equipment which is used exclusively on a farm or for processing farm products on the farm and no part of which is used in any vehicle or equipment driven or operated on the public highways of this state. This restriction shall not apply to the movement of farm vehicles or farm equipment between farms. The transporting of bees by water and the operating of equipment used in the apiary of a beekeeper shall also be deemed an exempt use. This exemption shall inure to the taxpayer only through refund of previously paid taxes. Refunds under this paragraph (e) shall be authorized and administered as provided in s. 212.92.

Section 4. This act shall take effect on the effective date of Committee Substitute for Senate Bill 916, 1983 Regular Session, provided that if this act becomes a law after said date, it shall operate retroactively to said date.

Amendment 2—On page 1, in the title, lines 1 through 11, strike all of said language and insert:

A bill to be entitled An act relating to tax on sales, use and other transactions; amending s. 212.08(7)(a) and (c), Florida Statutes, 1982 Supplement, as amended, and adding paragraph (v) to said subsection; revising provisions relating to exemptions from said tax; revising the definition of "charitable institutions"; revising the definition of "veterans' organizations" and providing that the exemption applies to the state headquarters of a veterans' organization auxiliary; providing that the exemption for scientific organizations shall inure through refund of previously paid taxes; providing an exemption for purchases by state headquarters or regional offices of nationally recognized organizations providing special educational and social benefits to minors and providing that the exemption shall inure only through refund; creating s. 212.095, Florida Statutes; providing procedures for exemptions granted on a refund basis; providing powers of inspection for the Department of Revenue; providing for refund permits; requiring bond under certain conditions; requiring the execution of sales invoices; providing for application for refund; providing a fee; requiring certain records and providing for inspection thereof; providing for repayment of erroneous refunds; providing a penalty; prohibiting certain false or fraudulent statements and activities; providing for revocation of refund permits under certain conditions; creating paragraph (e) of s. 212.08(5), Florida Statutes, 1982 session, as amended by legislation of the 1983 regular session; providing an exemption for gases used for certain agricultural purposes; providing for refunds; providing an effective date.

Senator Margolis moved the following amendments which were adopted:

Amendment 1 to House Amendment 1—On page 4, line 7, after the period (.) insert: *This term also means organizations the purpose of which is to protect air and water quality or protect wildlife in Florida and which hold a current exemption from the federal income tax under s. 501(c)(3) of the Internal Revenue Code.*

Amendment 2 to House Amendment 1—On page 4, lines 9-29, and on page 5, lines 1-3, strike all of said lines and insert:

6.—The Department of Revenue shall adopt rules providing for the review and renewal or revocation of exemptions granted to religious, educational, scientific, or charitable institutions hereunder within 5 years from the date the exemption was established by the department. Such rules shall provide procedures which allow an organization whose exemption is proposed to be revoked by the department a period of 6 months before the revocation shall become effective to correct any operational deficiencies determined by the department to exist.

~~a.—Any institution whose exemption is revoked by the department shall be subject to any tax, penalty, or interest due under this chapter only after the effective date of the revocation.~~

~~b.—Any institution whose qualification for exemption under s. 501(c)(3), Internal Revenue Code, 1954, as amended, is revoked by the Internal Revenue Service, and which has used such qualification as the basis for exemption under this subsection, shall notify the Department of Revenue of the revocation within 30 days and shall provide to the department the facts and circumstances surrounding the revocation.~~

~~c.—All exemptions which have been heretofore granted by the department under this subsection shall be reviewed and renewed or revoked after the effective date of this act.~~

Amendment 3 to House Amendment 1—On page 5, line 16, after "Boys Club," insert: *Future Farmers of America, Police Athletic League,*

Amendment 4 to House Amendment 1—On page 10, between lines 5 and 6, insert new Section 3: Section 212.084, Florida Statutes, as created by Committee Substitute for House Bill 1217 which passed during the 1983 Regular Session, is amended to read:

212.084 Review of exemption certificates; reissuance; specified expiration date.—

(1)(a) Every sales tax exemption certificate issued prior to July 1, 1983, shall be reviewed by the department before July 1, 1988 1983, ~~provided that, beginning July 1, 1983, the department shall review at least 1,500 exemption certificates annually.~~ In reviewing each certificate the department shall ensure that the institution, organization, or individual possessing the certificate is actively engaged in an exempt endeavor as stipulated in the statutory provisions of this chapter.

(b) Whenever feasible, the department shall choose entities for review based on an alphabetical selection procedure.

(2)(a) Each institution, organization, or individual possessing a sales tax exemption certificate shall cooperate fully with the department during its review of the certificate. The department shall revoke the sales tax exemption certificate of any entity which fails to respond to either of two written requests for information regarding the entity's taxable status. These two letters shall be mailed at least 4 weeks apart to the entity's last known address.

(b) Any entity may apply for reissuance of a revoked exemption certificate if the revocation occurred due to the entity's failure to respond to either of the two written requests sent by the department.

(3) After review is completed and it has been determined that an institution, organization, or individual is actively engaged in a bona fide exempt endeavor, the department shall reissue an exemption certificate to the entity. However, each certificate so reissued shall be valid for 5 10 consecutive years, at which time the review and reissuance procedure provided by this section shall apply again. If the department determines that an entity no longer qualifies for an exemption, it shall revoke the tax exemption certificate of the entity.

(4) Each sales tax exemption certificate issued on or after July 1, 1983, shall expire 5 10 years after the date of issuance. Upon expiration, the certificate shall be subject to the review and reissuance procedures provided by this section.

(5) The department is empowered to require that an entity submit documentation and evidence of its organizational structure, federal tax status, program content, or any other materials necessary during the review process mandated by this section.

(6) *Notwithstanding the provisions of s. 213.053 to the contrary, the department shall furnish, upon request, the name and address of any institution, organization, individual, or other entity possessing a valid sales tax exemption certificate.*

(Renumber subsequent sections.)

Senator Maxwell moved the following amendments which were adopted:

Amendment 5 to House Amendment 1—On page 1, line 1, insert new Section 1: If the cost of reconciliation of a 1980 assessment roll pursuant to s. 193.1145, Florida Statutes, is greater than three percent of

the combined school and county budgets for the year in question, the court may find that such reconciliation is not in the best interest of the public. Upon so finding, the court may enter an order confirming taxes levied against interim assessments to be final for the year in question; property appraisal adjustment board petitions may then be filed with respect to interim assessments, and delinquent provisional taxes shall then be subject to the provisions of chapter 197, Florida Statutes. For the purpose of this section, "cost" shall exclude expenses incurred in the revaluation of property and all other costs which will be incurred whether or not reconciliation occurs.

(Renumber subsequent sections.)

Amendment 6 to House Amendment 1—On page 10, line 5, insert:

Section 3. Notwithstanding the provisions of section 43 of HB 1321, 1983 regular session, Section 200.066, Florida Statutes, shall apply only to assessment rolls and taxes levied thereon for 1984 and each year thereafter.

(Renumber subsequent section.)

Senator Margolis moved the following amendment which was adopted:

Amendment 1 to House Amendment 2—In title, on page 2, line 4, after the semicolon (;) insert: amending s. 212.084, Florida Statutes, as created by CS/HB 1217 which passed during the 1983 Regular Session; providing adjustments to the method of exemption certificate review;

Senator Maxwell moved the following amendments which were adopted:

Amendment 2 to House Amendment 2—In title, on page 2, line 4, after the semicolon (;), insert: providing for s. 200.066 to apply only for 1984 and years thereafter;

Amendment 3 to House Amendment 2—In title, on page 1, line 4, after the semicolon (;) insert: providing an exception to the requirement for reconciliation between interim and approved assessment rolls;

On motion by Senator Margolis, the Senate concurred in the House amendments as amended and the House was requested to concur in the Senate amendments to the House amendments.

The President presiding

SB 3-B passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gersten	Kirkpatrick	Plummer
Barron	Girardeau	Langley	Scott
Beard	Grant	Malchon	Stuart
Carlucci	Grizzle	Mann	Thomas
Castor	Hair	Margolis	Thurman
Childers, D.	Henderson	Maxwell	Vogt
Childers, W. D.	Hill	McPherson	Weinstein
Crawford	Jenne	Meek	
Dunn	Jennings	Myers	
Frank	Johnston	Neal	

Nays—None

Vote after roll call:

Yea—Rehm

On motion by Senator Johnston, the rules were waived and the Senate reverted to—

INTRODUCTION AND REFERENCE OF BILLS

By Senators Johnston, Beard and Neal—

SB 37-B—A bill to be entitled An act relating to transportation; adding s. 339.08(7), Florida Statutes, 1982 Supplement, as amended; prohibiting specified uses of moneys in the State Transportation Trust Fund after a certain date; authorizing certain contracts between the Department of Transportation and the Department of Corrections; repealing ss. 944.063, Florida Statutes, 945.025(1)(e), Florida Statutes as amended, relating to the system of road prisons; providing an effective date.

—was read the first time by title and referred to the Committee on Transportation.

On motions by Senator Johnston, by two-thirds vote SB 37-B was withdrawn from the Committee on Transportation.

On motion by Senator Kirkpatrick, by the required constitutional two-thirds vote of the Senate the following bill was admitted for introduction:

By Senators Kirkpatrick and Rehm—

SB 39-B—A bill to be entitled An act relating to correctional work programs; adding s. 946.01(5), Florida Statutes; providing legislative intent; amending s. 946.02(2), Florida Statutes, defining the term "corporation"; providing for an effective date.

—which was read the first time by title and referred to the Committee on Corrections, Probation and Parole.

On motion by Senator Kirkpatrick, by two-thirds vote SB 39-B was withdrawn from the Committee on Corrections, Probation and Parole.

On motion by Senator Hair, further consideration of SB 39-B was deferred.

By Senators Johnston, Neal and Jenne—

SB 40-B—A bill to be entitled An act relating to workers' compensation; amending s. 440.45(4), Florida Statutes; prescribing the salary of deputy commissioners and the Chief Commissioner; prescribing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

On motion by Senator Johnston, by two-thirds vote SB 40-B was withdrawn from the Committee on Commerce.

On motion by Senator Neal, the rules were waived and the Committee on Natural Resources and Conservation was granted permission to meet upon adjournment this day.

ENROLLING REPORTS

Senate Bills 5-B, 8-B, 10-B, 11-B, 12-B, 13-B, 17-B, 19-B, 20-B, 22-B, 23-B, 24-B, 14-B and 33-B have been enrolled, signed by the required Constitutional Officers and presented to the Governor on June 22, 1983.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journals of June 16 and 17 were corrected and approved.

On motion by Senator Barron, the Senate adjourned at 4:37 p.m. to reconvene at 11:00 a.m., Friday, June 24.